

**31A-19a-217 Grievance procedures.**

- (1)
  - (a) An insured affected by a rate may submit a written request for information to the rate service organization or insurer that made the rate.
  - (b) The rate service organization or insurer shall answer a request made under Subsection (1)(a) within 45 calendar days from the date it received the request by furnishing all pertinent rating information to:
    - (i) the insured; or
    - (ii) the insured's authorized representative.
- (2)
  - (a) A person aggrieved by the manner in which a rate service organization or an insurer has applied its rating system in connection with the insurance afforded to that person may submit a written request for review to the rate service organization or insurer.
  - (b) If a request for review is filed under Subsection (2)(a), the rate service organization or insurer shall provide a reasonable review procedure within Utah.
  - (c) The review shall examine the application of the rating system in connection with the insurance afforded the person that requested review.
  - (d) The person that requested review may be heard in person or through an authorized representative.
  - (e) If the rate service organization or insurer fails to grant the request for review within 30 calendar days from the date the request is made, the applicant may appeal in writing to the commissioner.
  - (f) If an appeal is filed under Subsection (2)(e), the commissioner may order the rate service organization or insurer to provide the review in accordance with this Subsection (2).
- (3) After a review under Subsection (2), the person that requested review may request the commissioner to confirm that the insurance afforded was rated according to filed rates and rating plans.

Renumbered and Amended by Chapter 130, 1999 General Session